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Signature

Date _____

Confirmation No: N/A

Applic. No. : 10/518,350
Applicant : Henryk Frenzel et al.
Filed : December 17, 2004
Art Unit : N/A
Examiner : N/A

Docket No. : S3-03P05810
Customer No.: 24131

8 November 2005

**Hon. Commissioner for Patents,
Alexandria, VA 22313-1450**

The above-identified application was filed on December 17, 2004 with a surcharge of \$130.00 for furnishing the declaration later than 30 months from the earliest claimed priority date. However, this surcharge should not have been paid because the application is based on a German priority of May 8, 2003 and counsel thus had until November 8, 2005 to file the application. The declaration is being submitted to the Patent Office under separate cover on this date.

The Patent Office is therefore requested that a credit in the amount of \$130.00 be issued to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

For Applicants

~~Gregory L. Mayback~~

Reg. No. 40,719

Date: January 13, 2005

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